



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,697	03/25/2004	Scott Goldthwaite	WS-106	6060
27769	7590	05/24/2006	EXAMINER	
AKC PATENTS 215 GROVE ST. NEWTON, MA 02466			GARG, YOGESH C	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/808,697

Applicant(s)

GOLDTHWAITE ET AL.

Examiner

Yogesh C. Garg

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8-31, 34-36 and 38-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-31, 34-36 and 38-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicants' amendment received on 3/08/2006 is acknowledged and entered. The applicant has neither amended nor canceled claims but requested for Reconsideration. Currently claims 1-5, 8-31, 34-36, and 38-44 are pending for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1-5, 8-31, 34-36, and 38-44 filed on 3/08/2006 (see Remarks, pages 10-12) have been considered but are not fully persuasive. The applicant argues that the store terminal 150 in Nakamura is not a mobile device. The examiner disagrees because Nakamura suggests, see paragraphs 0114, that the ticket seller/supplier could be either an electronic ticket seller 130 or a store terminal 150 and if it is an electronic ticket seller 130 then it could be implemented by a portable terminal device including a reader/writer to read and write electronic ticket information [prepaid voucher] on information storage chip, that is the voucher smart card recited in the claims (see paragraphs 0155-0157). It would be obvious to an ordinary skilled in the art that the portable terminal device could be a laptop computer or a telephone. Therefore, it is established that Nakamura discloses a mobile combination device which includes a card reader/writer.

The applicant's argument that the prior art of Nakamura does not disclose that the card reader/writer module in turn has a slot for receiving any other IC card has been fully considered but is not persuasive. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that the card reader/writer module in turn has a slot for receiving any other IC card) are not

Art Unit: 3625

recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The applicant should amend the claim to include this additional limitation.

The applicant's arguments that the prior art of Nakamura does not disclose that the card reader/writer module is connected to the mobile communication device via a SIM card slot in the mobile communication device are persuasive and the rejection(s) of claim(s) 1-5, 8-31, 34-36, and 38-44 under 35 USC 103 (a) has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Takemura (US Patent 5,923,082) and Phillips (US Patent 6,240,301). Takemura discloses attaching a IC card reader/writer module to a mobile communication device via a IC card slot of said mobile communication device and that the card reader writer module in turn has a slot for receiving any other IC card (see col.1, line 48-col.2, line 5, Fig. 1 and col.3, line 51-col.4, line 10 which shows that the card reader/writer module "3" is electrically connected to a portable (mobile) communication device via a smart card slot in the portable communication device and the card reader/writer module in turn has a slot for receiving any other IC card "5". In view of Takemura, it would be obvious to an ordinary skilled in the art to use a portable communication device, such as a laptop or cellular wireless phone having a card slot, to insert a card reader/writer module adaptable to be connected to the portable mobile communication device via the card slot **because** it would enable the users to have a portable device, such as laptop computers/telephones equipped with card reader/writer modules and eliminate the need of using large sized conventional IC card reading/writing devices, as explicitly suggested in Takemura (col.1, lines 16-45). Takemura does not explicitly disclose that the card slot in the portable communication device is also capable of being used for a SIM card. However, Phillips teaches that a portable wireless communication device, such

Art Unit: 3625

as a wireless phone are designed to employ a single mechanical design of the shell to be used to house alternative communications electronics and mate with the corresponding modules such as a SIM card module for GSM standard and another alternative diversity antenna module for PDC operation, that is Pacific Digital Cellular standard. In view of Phillips, it would be obvious to one of an ordinary skilled in the art at the time of the applicant's invention to have modified the mobile communication device in Nakamura/Takemura disclosure to also incorporate the feature that card slot of the mobile communication device is adapted for inserting SIM card for an alternative communication electronics for GSM operation because it helps to eliminate the number of mechanical packaging designs resulting in reduced design time and tooling costs (see Phillips Abstract and col.1, line 48-col.2, line 3) and at the same time allowing the mobile communication device to be operable under different communication standards.

Claim Rejections - 35 USC § 103

3 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3.1. Claims 1-2, 11, 14-16, 19-28, 40-43, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura in view of Takemura and further in view Phillips.

Nakamura discloses an apparatus, system, and method for electronic ticket management and electronic ticket distribution authentication. The system includes an organizer,

Art Unit: 3625

seller, and platform center connected through a network, and information stored on a storage chip.

Referring to claim 1. Nakamura further discloses:

- A voucher host system adapted to generate said prepaid electronic vouchers: a ticket database server for managing data concerning electronic tickets, an electronic ticket-operation key server, -a security server for authenticating/downloading IC cards, and an application server for receiving Internet portal services are installed in the electronic ticket platform center (Nakamura: paragraph 0123).

- A voucher smart card: A non-contact IC card as an example of the information storage chip (Nakamura: paragraph 0120, Fig. 10A).

- a mobile communication device comprising an IC card slot and being adapted to connect to said voucher host system via a network connection and to download said prepaid vouchers and a smart card reader/writer module adapted to electrically connect to said mobile communication device (Nakamura suggests, see paragraphs 0114, that the ticket seller/supplier could be either an electronic ticket seller 130 or a store terminal 150 and if it is an electronic ticket seller 130 then it could be implemented by a portable terminal device including a reader/writer to read and write electronic ticket information on information storage chip, that is the voucher smart card recited in the claims (see paragraphs 0155-0157) and it would be obvious that the portable terminal device could be a laptop computer or a telephone. Also see paragraphs 0119, 0182 & 340 which discloses that the non-contact IC card, that is the information storage chip having a rewritable surface is mounted on a portable device, such as cellular phone for the convenience of the user to carry the electronic ticket information to the event venue after purchasing the ticket. The information of prepaid electronic tickets, that is

Art Unit: 3625

prepaid vouchers is downloaded on the IC card, that is the storage information chip, via a wireless communication network see paragraphs 0133- 0135 from a host server).

- Nakamura does not teach that the mobile communication device includes a SIM card slot that is used to connect a reader/writer module to the said communication device. However, Takemura discloses attaching a IC card reader/writer module to a mobile communication device via a IC card slot of said mobile communication device and that the card reader writer module in turn has a slot for receiving any other IC card (see col.1, line 48-col.2, line 5, Fig. 1 and col.3, line 51-col.4, line 10 which shows that the card reader/writer module "3" is electrically connected to a portable (mobile) communication device via a smart card slot in the portable communication device and the card reader/writer module in turn has a slot for receiving any other IC card "5". In view of Takemura, it would be obvious to an ordinary skilled in the art to use a portable communication device, such as a laptop or cellular wireless phone having a card slot, to insert a card reader/writer module adaptable to be connected to the portable mobile communication device via the card slot **because** it would enable the users to have a portable device, such as laptop computers/telephones equipped with card reader/writer modules and eliminate the need of using large sized conventional IC card reading/writing devices, as explicitly suggested in Takemura (col.1, lines 16-45). Takemura does not explicitly disclose that the card slot in the portable communication device is also capable of being used for a SIM card. However, Phillips teaches that a portable wireless communication device, such as a wireless phone are designed to employ a single mechanical design of the shell to be used to house alternative communications electronics and mate with the corresponding modules such as a SIM card module for GSM standard and another alternative diversity antenna module for PDC operation, that is Pacific Digital Cellular standard. In view of Phillips, it would be obvious to one of an ordinary skilled in the art at the time of the applicant's invention to have modified the

Art Unit: 3625

mobile communication device in Nakamura/Takemura disclosure to also incorporate the feature that card slot of the mobile communication device is adapted for inserting SIM card for an alternative communication electronics for GSM operation because it helps to eliminate the number of mechanical packaging designs resulting in reduced design time and tooling costs (see Phillips Abstract and col. 1, line 48-col.2, line 3) and at the same time allowing the mobile communication device to be operable under different communication standards.

Nakamura further teaches that said smart card/writer module is adapted to receive said downloaded prepaid electronic vouchers from said mobile communication device and to store said prepaid electronic vouchers in said voucher smart card (see at least paragraphs 0155-0157 which disclose that the card reader/writer downloads the information regarding the prepaid electronic ticket, that is electronic voucher from the sales agent 130 [said communication device as analyzed above] and then stores it in the information storage chip, that is voucher smart card to be used at the entry of the event).

Referring to claim 2. Nakamura further discloses:

- Transaction server adapted to mediate and aggregate transactions and communications between said mobile communication device and said voucher host system over said network connection: The electronic ticket platform center is formed as a computer, which functions as a web server, so as to provide services to the individual elements of the electronic ticket management system, such as the event organizers, via the network (Nakamura: paragraph 0124).

Referring to claim 11. Nakamura further discloses:

Art Unit: 3625

- A printer adapted to connect to the mobile communication device for printing hard copies of said prepaid electronic vouchers: The output display prints required information on a medium, such as paper, in response to the purchaser's request (Nakamura: paragraph 0171).

Referring to claim 14. Nakamura further discloses:

- Prepaid electronic vouchers comprise data selected from a group consisting of a mobile operator code, a voucher number, a voucher expiration date, said voucher number in an encrypted format, a voucher value, voucher currency code, voucher product code, voucher product description, voucher owner code and voucher owner: Various types of information that can be indicated in regular paper tickets can be stored in electronic tickets, such as the opening time, the performance start time, the performance name, the performers' names, the name of the event venue, the seat number, the entrance gate, the name of the event organizer, the name of the electronic ticket seller., and the contact name (Nakamura: paragraph 0117). Electronic ticket and event information includes the event ID, the floor, the seat number, the membership number, customer " name, the customer attribute, and the date of birth are stored in the information storage chip (Nakamura: paragraph 0337).

Referring to claim 15. Nakamura further discloses:

- Prepaid electronic vouchers comprise encrypted data: For ensuring the security, it is preferable that the electronic ticket information stored in the information storage chip is encrypted in advance when the ticket is purchased by using the ID number unique to the information storage chip according to an encryption algorithm (Nakamura: paragraph 0261).

Art Unit: 3625

Referring to claim 16. Nakamura further discloses:

- A voucher encryption smart card wherein the voucher encryption smart card comprises a voucher encryption key for decrypting said encrypted data: The security protection can be ensured by employing an authentication key technique (Nakamura: paragraph 0281).

Referring to claim 19. Nakamura further discloses:

mobile communication device terminal further comprises a first voucher application wherein the first voucher application provides retrieving of the stored electronic prepaid vouchers from the voucher smart card and printing hard copies of the prepaid electronic vouchers: The customer may desire analog information indicated on a paper ticket rather than digital information stored in an information storage chip. In this case, the electronic ticket information is converted into a paper ticket. Then, the paper ticket is issued (Nakamura: paragraph 0253).

Referring to claim 20. Nakamura further discloses:

First application further provides decrypting encrypted data stored in the electronic prepaid vouchers: The information to be assigned, which is encrypted with the ID number of the information storage chip of the assignor customer, is decrypted (Nakamura: paragraph 0273).

Referring to claim 21. Nakamura further discloses:

- mobile communication device further comprises a second voucher application wherein the second voucher application provides transferring one or more of the stored prepaid electronic vouchers from said voucher smart card to another voucher smart card: Electronic

Art Unit: 3625

ticket information stored in an information storage chip can be assigned to another information storage chip by using the store terminal (Nakamura: paragraph 0282).

Referring to method claim 22, limitations are closely parallel to the limitations recited in claim 1, specially the steps of providing a voucher host system, providing a mobile communication device and providing a smart card reader/writer module....and are therefore analyzed and rejected on same basis as being unpatentable over Nakamura in view of Takemura and Phillips. The additional limitations of claim 23 are analyzed as follows.

- Placing a purchase order and paying for one of the prepaid electronic vouchers from said mobile communication device to said voucher host system over the network connection: The customer, who wishes to purchase electronic tickets, accesses the sales portal site of the electronic ticket seller via the network. Then, the customer sends a ticket purchase request to the sales portal site (Nakamura: paragraph 0233 and as analyzed in claim 1 above). The electronic ticket fee is first collected from the customers (Nakamura: paragraph 0139).

- Downloading said one prepaid electronic voucher from the voucher host system to the mobile communication device over the network connection and storing the electronic voucher in the voucher smart card: The electronic ticket issuer allows the user of the information storage chip, sold via the electronic ticket seller, to download the corresponding electronic ticket information (Nakamura: paragraph 0135 and as analyzed in claim 1 above).

- Retrieving the prepaid electronic voucher from the voucher smart card: the customer 140 obtains the electronic ticket (Nakamura: paragraph 0238).

- Presenting the prepaid electronic voucher to the merchant and receiving the service or product: The gate terminal reads the electronic ticket information and the event

Art Unit: 3625

information stored on the information storage chip, and permits the attendee to enter if the information is valid (Nakamura: paragraph 0321).

Referring to claim 23. Claim 23 is rejected on the same rationale as set forth above in claim 2.

Referring to claim 24. Claim 24 is rejected on the same rationale as set forth above in claim 11.

Referring to claim 25. Claim 25 is rejected on the same rationale as set forth above in claim 14.

Referring to claim 26. Claim 26 is rejected on the same rationale as set forth above in claim 15.

Referring to claim 27. Claim 27 is rejected on the same rationale as set forth above in claim 16.

Referring to claim 28. Claim 28 is rejected on the same rationale as set forth above in claims 16 and 20.

1Referring to claim 40. Claim 40 is rejected on the same rationale as set forth above in claim 19.

Art Unit: 3625

Referring to claim 41. Claim 41 is rejected on the same rationale as set forth above in claim 20.

Referring to claim 42. Claim 42 is rejected on the same rationale as set forth above in claim 21.

Referring to claim 43. Nakamura further discloses:

Transferring a prepaid voucher from a voucher smart card to a second voucher smart card: Electronic ticket information stored in an information storage chip can be assigned to another information storage chip by using the store terminal (Nakamura: paragraph 0282).

Referring to claim 44. Nakamura further discloses:

Transferring a prepaid voucher from a voucher smart card to a second voucher terminal: Information stored in an information storage chip of the assignor customer is read by using the store terminal, and is sent to the store terminal (Nakamura: paragraph 0284).

3.2. Claims 4, 17, 30 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura in view of Takemura and Phillips and further in view of Wen et al. Patent Application Publication US 200410143730 (hereinafter referred to as "Wen").

Nakamura in view of Takemura and Phillips discloses the system above. Nakamura does not disclose the smart card comprising a HSM selected from a group consisting of microprocessors and storage accessories, and a voucher encryption key is selected from a group consisting of a personal identification number (PIN), a private key, a public key, a

Art Unit: 3625

symmetric key and an asymmetric key. Wen discloses a universal secure messaging for remote security tokens.

Referring to claim 4. Wen further disclose

- The smart card comprising a HSM selected from a group consisting of microprocessors and storage accessories: The security tokens include subscriber identification modules, personal security devices, secure application modules, smart cards, and hardware security modules (Wen: paragraph 0010). At least one token remote access application is installed in the token memory (Wen: paragraph 0076).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakamura in view of Takemura and Phillips to include the smart card comprising a HSM selected from a group consisting of microprocessors and storage accessories as taught by Wen in order to allow the security token to establish a secure end-to end communication connection in conjunction with the security token enabled computer system (Wen: paragraph 0077).

23. Referring to claim 17. Wen further discloses:

- Voucher encryption key is selected from a group consisting of a personal identification number (PIN), a private key, a public key, a symmetric key and an asymmetric k@L. In high security operating environments, it is specified that critical security parameters (CSP) such as authentication data, passwords, PINs, CSPs, biometric samples, secret and private cryptographic keys be entered into or output from a security token in an encrypted form (Wen: paragraph 0090). The security token includes an EEPROM that further includes a runtime operating environment, cryptography extensions incorporated into the operating system and capable of performing symmetric and asymmetric cryptographic

Art Unit: 3625

functions compatible with the intelligent remote device and security token enabled cryptography software (Wen: paragraph 0069).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakamura in view of Takemura and Phillips to include a voucher encryption key is selected from a group consisting of a personal identification number (PIN), a private key, a public key, a symmetric key and an asymmetric key as taught by Wen in order to authenticate the security token and the enabled computer system and allow for communication (Wen: paragraph 0042).

Referring to claim 30. Claim 30 is rejected on the same rationale as set forth above in claim 4.

Referring to claim 38. Claim 38 is rejected on the same rationale as set forth above in claim 17.

3.3. Claims 3 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura in view of Takemura/Phillips/Wen and in further view of Teicher US Patent No. 6,467,685. The combination of Nakamura/ Takemura/Phillips / Wen discloses the system above. The combination fails to disclose voucher smart card comprises a removable smart card selected from a group consisting of a "full size" smart credit card, a "full size" smart debit card, a "plug-in" Subscriber Identification Module (SIM) smart card, a "plug-in" Secure Access Module (SAM) smart card, a contactless smart card, a stored-value card, a coupon card, a reward card, an electronic cash card, a loyalty card, an identification card and combinations thereof. Teicher

Art Unit: 3625

discloses a countable electronic monetary system and method. The system allows for central monitoring of electronic coins and bills.

Referring to claim 3. Teicher further discloses:

- A voucher smart card comprises a removable smart card selected from a -group consisting of a "full size" smart credit card, a "full size" smart debit card, a "plug-in" Subscriber Identification Module (SIM) smart card, a "plug-in" Secure Access Module (SAM) smart card, a contactless smart card, a stored-value card, a coupon card, a reward card, an electronic cash card, a loyalty card, an identification card and combinations thereof: Nakamura discloses a smart card that is a contact or non-contact IC card (Nakamura: paragraph 0119). Wen discloses smart cards subscriber identification modules, secure application modules, personal security devices, identification tokens, and the like (Wen: paragraph 0010). The combination fails to include stored-value cards, coupon cards, reward cards, electronic cash cards, and loyalty cards. The stored-value systems store the electronic value that is defines as value in a form that can be transferred to and stored in a consumer or merchant electronic storage device. The term "value" herein denotes any accumulated and transferable measure of worth, including but not limited to: money, cash, currency, or the equivalent

thereof; loyalty points, air miles, or other rewards or recognitions; barter credit or scrip; and coupons, such as discount coupons. The term "electronic cash" herein denotes an embodiment of electronic value that represents cash money or the equivalent thereof (Teicher: Column 2, lines 20-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Nakamura/ Takemura/Phillips / Wen to include stored-value cards, coupon cards, reward cards, electronic cash cards, and loyalty cards as taught by Teicher in

Art Unit: 3625

order to denote any accumulated and transferable measure of worth (Teicher: Column 2, lines 24-26).

Referring to claim 29. Claim 29 is rejected on the same rationale as set forth above in claim 3.

3.4. Claims 5, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Nakamura/ Takemura/Phillips in view of Armes Patent Application Publication US 200110034720.

Nakamura/ Takemura/Phillips discloses a wired or wireless terminal including a smart card reader/writer. Nakamura/ Takemura / Phillips fails to disclose the wired or wireless terminal as a communication device selected from a group consisting of a mobile phone, a personal digital assistant (PDA), a pager, a point of sale (POS) terminal, a television remote control, a personal computer and combinations thereof. Armes discloses a system for facilitating a transaction.

Referring to claim 5. Armes further discloses:

A communication device selected from a group consisting of a mobile phone, a personal digital assistant (PDA), a pager, a point of sale (POS) terminal, a television remote control, a personal computer and combinations thereof: The cardholder may interact with the card provider's transaction system or a merchant via any input device such as a telephone, keyboard, mouse, kiosk, personal digital assistant, touch screen, voice recognition device, transponder, biometrics device, handheld computer (e.g., Palm Pilot.RTM.), cellular phone, web TV, web phone, blue tooth/beaming device and/or the like. Similarly, the invention could be used in conjunction with any type of personal computer, network computer, workstation,

Art Unit: 3625

minicomputer, mainframe, or the like running any operating system such as any version of Windows, Windows NT, Windows2000, Windows 98, Windows 95, MacOS, OS/2, BeOS, Linux, UNIX, or the like (Armes: paragraph 0040).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakamura/ Takemura/Phillips to include communication devices as taught by Armes in order to allow the card holder to interact with the card provider or merchant via any input device (Armes: paragraph 0040).

Referring to claims 31. Claim 31 is rejected on the same rationale as set forth above in claim 5.

3.5. Claims 8-9, 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Nakamura/ Takemura/ Phillips in view of Barnes, JR. Patent Application Publication US 200310065805 (hereinafter referred to as "Barnes").

Nakamura/Watanabi discloses the system above. Nakamura/ Takemura/ Phillips fails to disclose the network selected from a group consisting of the Internet, a telecommunications network, a WWAN, a WLAN, a PAN, and a private communication network and a wireless wide area network (MAN) is selected from a group consisting of a Global System for Mobile Communications (GSM), General Packet Radio Service (GPRS), a Code Division Multiple Access (CDMA), CDMA 2000, and wideband CDMA (WCDMA). Barnes discloses a system, method, and computer program product for providing location based services, and mobile e-commerce. The system provides for selecting one of a plurality of network through which to communicate.

Referring to claim 8. Barnes further discloses:

Art Unit: 3625

Network is selected from a -group consisting of the internet, a telecommunications network, a wireless wide area network (MAN), a wireless local area network (WLAN), a personal area network (PAN) and a private communication network: Nakamura discloses a network that can be public, or closed and wired or wireless and includes the Internet, LANs, and an intranet (Nakamura: paragraph 0182). Barnes further discloses the device is configured to operate with a conventional mobile telephone network or wireless wide area network (WWAN), and one or more other wireless local area networks (wireless LAN or WLAN), wireless Metropolitan Area Networks (MAN), and a wireless personal area networks (PAN)(e.g., a Bluetooth.RTM.network) (Barnes: paragraph 0044).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakamura/ Takemura/Phillips to include a network that is selected from a group consisting of the internet, a telecommunications network, a wireless wide area network (WWAN), a wireless local area network (WLAN), a personal area network (PAN) and a private communication network as taught by Barnes in order to allow the device to wirelessly communicate with printers, exchange payment information wirelessly, etc (Barnes: paragraph 0049).

Referring to claim 9. Barnes further discloses:

- A wireless wide area network (MAN) is selected from a group consisting of a Global System for Mobile Communications (GSM), General Packet Radio Service (GPRS), a Code Division Multiple Access (CDMA). CDMA 2000, and wideband CDMA (WCDMA): Networks employing at least some of the 3G standard include CDMA-2000 based services (e.g., CDMA 1XRTT, CDMA 2000 1XEV) (CDMA refers to Code-Division Multiple Access), FOMA (Freedom of Mobile Multimedia Access), and Wideband CDMA (Barnes:

Art Unit: 3625

paragraph 0057). Common 2.5G networks include General Packet Radio Service (GPRS) and Enhanced Data for GSM (Global System for Mobile Communications) Evolution (Edge) also referred to as Enhanced Data Rates for Global Evolution and Enhanced Data GSM Environment (Barnes: paragraph 0058).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakamura/ Takemura/ Phillips to include a wireless wide area network (WWAN) is selected from a group consisting of a Global System for Mobile Communications (GSM), General Packet Radio Service (GPRS), a Code Division Multiple Access (CDMA), CDMA 2000, and wideband CDMA (WCDMA) as taught by Barnes in order to allow the device to receive incoming transmissions as they are sent with the packet switched network and "always on" capabilities (Barnes: 0057).

Referring to claim 34. Claim 34 is rejected on the same rationale as set forth above in claim 8.

Referring to claim 35. Claim 35 is rejected on the same rationale as set forth above in claim 9.

3.6. Claims 10 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura/ Takemura / Phillips in view of Barnes in further view of Nguyen Patent Application Publication US 200310172145.

The combination of Nakamura/Watanabi/Barnes fails to disclose communication formats. Nguyen discloses a system and method for designing, developing, and implementing Internet service provider architectures.

Art Unit: 3625

Referring to claim 10. Nguyen further discloses:

- Communications comprise a format selected from a group consisting of Short Message Service (SMS). General Packet Radio Service (GPRS). Transmission Control Protocol/Internet Protocol (TCP/IP). User Datagram Protocol (UDP), Simple Mail Transmission Protocol (SMTP), Simple Network Management Protocol (SNMP), and proprietary message formats: Barnes discloses common 2.5G networks include General Packet Radio Service (GPRS) (Barnes: paragraph 0058). Nguyen further discloses a Short Messaging Service (SMS) may be used by subscribers to send text messages (Nguyen: paragraph 0471). Simple mail transfer protocol (SMTP), for example, may be offered for sending mail (Nguyen: paragraph 0547). Intelligent agents may be installed on all Internet architecture components. These agents may be accessed via standard protocols, such as SNMP, CMIP, DMI, and JMAPI from a centralized console (which may also be viewed securely on remote, heterogeneous clients, if desired) (Nguyen: paragraph 0864). Packet filtering routers may be the first line of defense, and allow packets to be routed based on source and destination IP addresses, and also based on source and destination TCP or UDP port numbers (Nguyen: paragraph 0911).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination Nakamura/ Takemura / Phillips /Barnes to include communication formats as taught by Nguyen in order to allow ISP to provide new channels for their services and provide and opportunity to reach new subscribers (Nguyen: paragraph 007).

Referring to claim 36. Claim 36 is rejected on the same rationale as set forth above in claim 10.

Art Unit: 3625

3.7. Claims 12 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura/ Takemura / Phillips in view of Deng et al. US Patent No. 6,795,327 (hereinafter referred to as "Deng").

Nakamura/Watanabi discloses the system above. Nakamura/ Takemura / Phillips fails to disclose the printer connection. Deng discloses a semiconductor storage method and device supporting multi-interface. Deng's system includes an interface module that supports at least two

interfaces of different standards.

Referring to claims 12 and 13. Deng further discloses:

- Printer is connected to said voucher terminal via a wired connection selected from a group consisting of a serial connection, a parallel connection, a USB connection and a mini USB connection or a wireless connection selected from a group consisting of infrared, Bluetooth, 801.1x, and short-range radio frequency (RF) connections: The serial or parallel or wireless communication interfaces can be CF (Compact Flash), USB (Universal Serial Bus), IEEE 1394, PCMCIA, True IDE, Bluetooth interfaces or wireless LAN interface (Deng: Column 3, lines 63-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakamura/ Takemura / Phillips to include the printer connection as taught by Deng in order to provide a convenient mobile storage device for the data processing systems using different interfaces, enabling the simple and easy exchange of data and files between different kinds of data processing system, thus reducing the configuration costs (Deng: Column 2, lines 45-50).

Art Unit: 3625

3.8. Claims 18 and 39 rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura/ Takemura / Phillips in view of England et al. Patent Application Publication US 200310200450 (hereinafter referred to as "England").

Nakamura/ Takemura /Phillips discloses the system above. Nakamura/ Takemura / Phillips fails to disclose the techniques used for decryption. England discloses saving and retrieving data based on a public key encryption.

Referring to claim 18. England further discloses:

- Decrypting utilizes techniques selected from a -group consisting of symmetric keys, asymmetric keys, data encryption standard (DES 3DES) RSA elliptical curve cryptography (ECC), message authentication codes (MAC), HMAC, SHA-I. AES. and public key infrastructure (PKI): The digest can be generated in any wide variety of conventional manners, such as using any one or more of a variety of cryptographic hash functions, such as, SHA1, MAC, and so forth (England: paragraph 0047). Symmetric encryption algorithms use the same key for encryption and decryption, such as DES, 3DES, AES, and so forth (England: paragraph 0071). If the device is to be recognized as part of a PKI, the manufacturer should also certify a public key for the platform (England: paragraph 0127). England also discloses using RSA key pairs (England: paragraph 0140).

It would have been obvious to one of ordinary skill in the art at the time of. the invention to modify Nakamura/ Takemura/ Phillips to include decrypting techniques as taught by England in order to allow the encrypted data to be decrypted and the message authenticated with the MAC (England 0080).

Referring to claim 39. Claim 39 is rejected on the same rationale as set forth above in claim 18.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


US Patent 6,592,031 to Klatt discloses that a card reader module in the shape of a smart IC card is electrically connected to a portable communication device, such as a laptop/notebook computers or an electronic organizer via a card slot in the portable communication device and the card reader module also has a slot to accept another smart IC card and the IC card slot also connects the card reader module to GSM network similar to that a SIM card slot (see at least col.1, lines 21-col.3, line 18, col.4, lines 9-50 and Fig.1. In fig.1 the "PC card 1" represents the smart card reader module which is electrically connected via a smart card slot in the portable communication device and the card reader module has a slot to accept another smart IC card, that is "chip card 9". Klatt's disclosure reads on the applicant's claimed novelty, that is (see Remarks page 11, lines 12-14) " *that the card reader is attached to the mobile communication device via the SIM card slot of the mobile communication device* ".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
5/18/2006